

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 22-9203 MEMF (KS)

Date: November 17, 2023

Title Clinton Brown v. Clark R. Taylor

Present: The Honorable: Karen L. Stevenson, Chief Magistrate Judge

Gay Roberson
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Petitioner: N/A

Attorneys Present for Respondent: N/A

Proceedings: (IN CHAMBERS) ORDER DENYING PLAINTIFF'S REQUEST FOR JUDICIAL NOTICE NO. 2 [DKT. NO. 89] AND DEFENDANT'S REQUEST FOR BRIEFING SCHEDULE [DKT. NO. 94]

The Court is in receipt of Plaintiff's Request for Judicial Notice No. 2, in which he asks the Court to judicially notice a copy of a "Notice of Violation" he ostensibly received from the Los Angeles County Department of Regional Planning. (Dkt. No. 89.) Defendant has opposed this request and asks the Court to strike it as procedurally improper, or order further briefing. (Dkt. No. 94.)

The Court **DENIES** both requests. The "Notice of Violation" at issue is not an adjudicative fact that this Court may judicially notice. Fed. R. Evid. 201(b). Therefore, judicial notice will not be taken and further briefing on the issue is unwarranted.

Further, to the extent Plaintiff's Request for Judicial Notice No. 2 improperly includes an additional request "that the Court preempt the Government from taking any civil and/or criminal enforcement action against the Plaintiff for the alleged violation" (dkt. no. 89 at 3), that request is also **DENIED** as procedurally improper. If Plaintiff seeks injunctive relief, he must file an application under Federal Rule of Civil Procedure 65 and Local Rule 65-1 for consideration by the presiding District Judge. *See* 28 U.S.C. § 636(b)(1)(A).

IT IS SO ORDERED.

Initials of Preparer

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